

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

Devin G. Nunes,)	Case No. 5:19-cv-04064-CJW-MAR
)	
Plaintiff,)	
)	
v.)	Defendants' Resisted Motion to Stay
)	Discovery and for Protective Order
Ryan Lizza and Hearst Magazines, Inc.,)	
)	
Defendants.)	
)	

Defendants Ryan Lizza and Hearst Magazines, Inc., respectfully move the Court to stay discovery in this matter, and/or enter a protective order pursuant to Rule 26(c)(A) forbidding merits discovery (including that served by Plaintiff Devin Nunes on January 7, 2020), until 30 days from the date Defendants and/or Hearst Magazine Media, Inc. have filed their answer and affirmative defenses to the then-operative or amended complaint.

In support of this Motion, Defendants state:

1. Representative Devin Nunes ("Plaintiff") served 24 requests for production on January 7, 2020, objections and responses to which would be due February 6, 2020. Those requests are attached to the motion as Exhibit A.
2. Defendants file this motion to stay discovery and for a protective order in part pursuant to Rule 26(c) to insulate them, as media defendants, from the burden of engaging in costly and invasive discovery while a fully dispositive motion to dismiss and strike the Plaintiff's Complaint is pending.
3. The stay will protect, and a protective order will safeguard, important First Amendment rights, conserve judicial resources, and will not prejudice Plaintiff, who seeks only monetary damages.

4. Discovery addressed to Hearst Magazines, Inc. further seeks information for an entity wrongfully joined in this lawsuit that is not necessary, relevant, or material should Plaintiff proceed with a request to amend his Complaint to replace it with Hearst Magazine Media, Inc. as the correct corporate entity.

5. The undersigned counsel for Defendants has conferred with counsel for Plaintiff pursuant to Local Rule 7(k). Plaintiff resists this motion.

WHEREFORE, Defendants Ryan Lizza and Hearst Magazines, Inc., respectfully request pursuant to Fed. R. Civ. P. 26(c) that the Court stay discovery and/or enter a protective order prohibiting merits discovery in this case until 30 days from the date Defendants and/or Hearst Magazine Media, Inc. have filed their answer and affirmative defenses to the then-operative or amended complaint.

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January 21, 2020

**Ryan Lizza and Hearst Magazines, Inc.,
Defendants**

By: /s/ Jonathan R. Donnellan

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Attorneys for Defendants

Certificate of Service

The undersigned certifies that a true copy of **Defendants' Resisted Motion to Stay Discovery and for Protective Order** was served upon the following parties through the court's CM/ECF electronic filing system on January 21, 2020.

/s/ Jonathan R. Donnellan

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